

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : STARR et al.
Appln. No. : Not Yet Assigned (CON of Appln No. 10/172,271)
Conf. No.: Unknown
Filed: : January 23, 2004
Title: : METHOD AND APPARATUS FOR DETERMINING CARDIAC
OUTPUT
Group Art Unit : Unknown
Examiner : Unknown
Docket No. : 98-39 C2

* * * * *

January 23, 2004

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

This Information Disclosure Statement is being filed within 3 months of the filing date of this application.

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application Nos. 10/172,271 and 09/691,592, filed June 14, 2002 and

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on January 23, 2004 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Express Mail Label No. EL 997388395 US.



Michael W. Haas, Reg. No. 35,174

October 18, 2000, respectively, of which the present application relies upon for an earlier filing dated under 35 U.S.C. § 120. Therefore, no such copy is required to be submitted by the applicant with this Information Disclosure Statement per 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By Michael W. Haas
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Fax No.: (724) 387-5021

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1010 Murry Ridge Lane
Murrysville, PA 15668-8525
1-800-638-8208

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|----------------------------------------------------------|------------------|----|---|---------------------|------------------|
| PTO/SB/08 Form (RESPIRONICS Version) | | | | Application No. | Not Yet Assigned |
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| Date | January 23, 2004 | | | Examiner: | Unknown |
| Sheet | 1 | of | 4 | Attorney Docket No: | 98-39 C2 |

| U.S. PATENT DOCUMENTS | | | | | | |
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| Date | January 23, 2004 | | | Examiner: | Unknown |
| Sheet | 2 | of | 4 | Attorney Docket No: | 98-39 C2 |

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| OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS | | | | |
|-----------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | |
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| | CC | ORR et al., "Clinical Validation of a New Non-Invasive Breath to Breath Fick Method for Cardiac Output Estimation", Novametrix Medical Systems, Inc. | | |
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| | Y | GEDDES et al., Principles of Applied Biomedical Instrumentation, 1968, USA | | |
| | Z | | | |
| | AA | | | |
| | BB | | | |
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